IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Inventors:

H. YAMAMOTO, et al.

ATTN: ISSUE FEE BRANCH

Application No.:

10/735,828

Allowed: 01/27/05

Art Unit: 3747

Filed:

December 16, 2003

Examiner: N. Kamen

For:

AIR INTAKE APPARATUS OF ENGINE

REQUEST FOR CONSIDERATION OF INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner of Patents Washington, DC 20231

Dear Sir:

With respect to the Information Disclosure Statement filed January 26, 2005, applicants respectfully request that the Examiner initial and return a copy of the previously supplied Form PTO-1449 indicating consideration of the reference(s); for the convenience of the Examiner, a copy of that Form PTO-1449 is attached, as well as a copy of the IDS and PTO date-stamped filing receipt.

Respectfully submitted,

Date: February 9, 2005

James E. Ledbetter

Registration No. 28,732

JEL/spp

Attorney Docket No. L7016.03115

STEVENS, DAVIS, MILLER & MOSHER, L.L.P. 1615 L STREET, NW, Suite 850

P.O. Box 34387

WASHINGTON, DC 20043-4387

Telephone: (202) 785-0100 Facsimile: (202) 408-5200



STEVENS, DAVIS, MILLER & MOSHER, L.L.P.

1615 L Street, NW, Suite 850 Washington, DC 20036

THE PATENT AND TRADEMARK OFFICE OFFICIAL FILING DATE STAMP HEREON IS ACKNOWLEDGMENT OF FILING:

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INFORMATION DISCLOSURE STATEMENT

Honorable Commissioner of Patents and Trademarks Washington, DC 20231

Sir:

Pursuant to Rules 56 and 99, Applicants hereby call the attention of the Patent Office to the reference(s) listed on the attached Form PTO 1449. All of these references were cited in a German Office Action dated October 26, 2004 (English translation attached). US '418 corresponds to JP '522.

Applicants present this art so that the Patent Office may, in the first instance, determine any relevancy thereof to the presently claimed invention, see Beckman Instruments, Inc. v. Chemtronics, Inc., 439 F.2d 1369, 1380, 165 USPQ 355, 364 (5th Cir. 1970). Also see Patent Office Rules 104 and 106. Applicants respectfully request that this art be expressly considered during the prosecution of this application and made of record herein and appear among the "References Cited" on any patent to issue herefrom.

Respectfully submitted,

Date: January 26, 2005

James E. Ledbetter

Registration No. 28,732

JEL/spp

ATTORNEY DOCKET NO. <u>L7016.03115</u> STEVENS, DAVIS, MILLER & MOSHER, L.L.P. 1615 L Street, NW, Suite 850 P.O. Box 34387 Washington, DC 20043-4387

Telephone: (202) 785-0100 Facsimile: (202) 408-5200

(Rev. 4/92) U.S. Department of Commerce Patent and Trademark Office ATTY. DOCKET NO. SERIAL NO. INFORMATION DISCLOSURE STATEMENT BY APPLICANTED 0 3 2005 L7016.03115 10/735,828 APPLICANT (Use several sheets if necessary H. YAMAMOTO, et al. FILING DATE **GROUP** December 16, 2003 3747 **U.S. PATENT DOCUMENTS** EXAMINER IF APPROPRIATE SUECLASS DOCUMENT NUMBER DATE NAME CLASS 6 5 4 1 8 10/2000 Hatton **FOREIGN PATENT DOCUMENTS** DOCUMENT NUMBER DATE COUNTRY CLASS SUBCLASS TRANSLATION YES NO 2002 2 08/2002 6 1 JP **Abstract** 9 8 3 0 3 7 9 02/1999 DE 0 3 3 04/2002 1 1 WO 4 9 6 0 5 3 08/1997 8 0 DE 2 2000 3 5 2 2 08/2000 JP 4 **Abstract** OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.) German Office Action dated October 26, 2004 with English translation.

EXAMINER: Initial if citation is considered, draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

DATE CONSIDERED

EXAMINER